

REMARKS

Applicant notes its appreciation of Examiners Kwiecinski and Canfield for conducting the personal interview of March 20, 2007. During that interview, claim amendments identical to those set forth above were furnished to the Examiners. As reflected in the Interview Summary, an agreement was reached that U.S. Patent No. 5,534,352 to Pittman et al. does “not disclose separate ticks and depressions simulating tonal portions.”

Claims 1-12 and 38-70 are pending in this application.

Applicant respectfully submits that the amendments to claims 1, 38, and 49 are fully supported in the original disclosure at, for example, page 7, lines 18-20, page 8, line 17, and page 9, line 7 to page 10, line 7. The remaining amendments to the dependent claims have been presented to address objections raised by the Examiner.

The recitation of substantially square spaced depressions in claims 51, 54, 56, 59, 61, 64, 66, and 69 is supported in the original disclosure at, for example, page 8, lines 20-21. The recitation of substantially cylindrical spaced depressions in claims 52, 55, 57, 60, 62, 65, 67, and 70 is supported in the original disclosure at, for example, page 8, lines 21-22. The recitation of a grid pattern of spaced depressions in claims 53, 58, 63, and 68 is supported in the original disclosure at, for example, page 11, line 13.

Accordingly, Applicant respectfully requests approval and entry of the above amendments and new claims.

Specification

The specification has been objected to at page 7, line 18, on the ground that the term “process” should be --processes--.

Applicant has amended the specification as suggested by the Examiner. Approval of the amendment and withdrawal of this objection are respectfully requested.

Claim Objections

Claims 7, 8, and 44 have been amended to change “planar portion(s)” to --planar area--. Claim 47 has been amended to change “door skin” to --molded construction component--. Applicant has amended claims 11 and 48 as suggested by the Examiner in the Office Action.

Applicant respectfully submits that all objections have been satisfied, and respectfully requests withdrawal of the objections.

Claim Rejections -- 35 U.S.C. § 112

Claims 1-12 and 38-50 have been rejected under 35 U.S.C. § 112, second paragraph, on the ground that the tonal portions are allegedly not structurally related to the remaining device.

As amended, independent claims 1, 38, and 49 each recite that the tonal portions are formed in the exterior surface, thereby providing clearer structural relationship between the claimed components. Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claim Rejections -- 35 U.S.C. § 102

Claims 1-12 and 38-48 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,534,352 to Pittman et al.

As amended, claims 1 and 38 recite a door skin and a molded construction component, respectively, comprising an exterior surface having outer portions lying on a first plane, spaced grooves recessed from the first plane of the outer portions to simulate an appearance of wood ticks, and tonal portions formed in the exterior surface and recessed from a planar area to provide a plurality of spaced depressions for retaining stain and simulating an appearance of wood background tone.

Neither the alleged spaced grooves (B) nor the depressions (D) of Pittman constitute depressions that are constructed and arranged to simulate the appearance of wood background tone, as recited in claims 1 and 38. Rather, the grooves (B) and the depressions (D) each simulate the appearance of ticks, as that term is defined in the present patent application and understood in the art.

Specifically, the grooves (B) of Pittman correspond in shape and appearance to the ticks 12D, 12E, and 12F depicted in Fig. 1 of the present application. Similarly, the grooves (D) of Pittman correspond in shape and appearance to the ticks 12A, 12B, and 12C depicted in Fig. 1. *See* page 8, lines 8-16 of the specification. As defined in the present patent specification and understood by those skilled in the art, the grooves (B) and depressions (D) of Pittman are ticks, not background tone, such as the shaded areas of Fig. 1 evident between ticks. Accordingly, Pittman does not disclose tonal portions for simulating background tone.

Conventional skins with embossed wood grain patterns, such as disclosed in Pittman, include wood ticks, but fail to simulate the varying background tones of natural wood. Conventional skins stained by ordinary consumers lack background tones and do not provide a realistic appearance when stained because of the absence of these background tones. *See* page 4, line 18 to page 5, line 5 of the patent application.

Staining of conventional composite or polymeric door skins or molded components for purposes of enhancing tones and ticks of a natural wood product is a difficult process for a typical consumer. The stain may not simply be applied with a brush or rag, and the excess wiped off, as can be done with natural wood, to gain the desired appearance. Rather, such conventional door skins and molded components typically require multiple stain applications, and selective removal of the stain by hand. This technique often requires a professional or one experienced in staining in order to capture a natural wood appearance. Alternatively, portions of the door skin surface or molded component surface may be highlighted by spray gun application of the stain, or other shading material. Even if the stain is carefully applied in specific areas, the resulting tones and wood ticks may appear splotchy and unrealistic. The average homeowner or consumer is not sufficiently skilled to stain or finish such a conventional molded skin or molded component in a manner that provides a realistic grain appearance including both ticks and background tone. *See* page 5, lines 6-19.

The present invention, with the provision of tonal portions for simulating the appearance of natural wood tone, overcomes these problems and allows for the capture of both the wood ticks and wood tones found in natural grain. *See* page 5, lines 20-22. Stain may be easily applied to the exterior door surface or molded component surface by

an end user by simply wiping the stain on the exterior surface. The integration and configuration of grooves and tonal portions allow the stain to be simply wiped or brushed on by the consumer. The stain clings and congeals in the recessed tonal portion areas to create small pools of stain. Excess stain may be wiped off to provide the appearance of natural wood. *See* page 10, lines 7-17 of the patent application. The door skins disclosed in Pittman does not allow for the easy and efficient formation of background tones by the average consumer.

For these reasons, Applicant respectfully submits that Pittman is deficient in its failure to disclose or reasonably suggest the presence of tonal portions for retaining stain and simulating an appearance of wood background tone. The presence of this feature in the inventions as defined in the claims imparts a significant advantage not realized or reasonably suggested by Pittman.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the Section 102(b) rejection.

Claim Rejections -- 35 U.S.C. § 103

Claims 49 and 50 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Re 36,240 to Minke in view of Pittman.

Applicant respectfully traverses this rejection.

The deficiencies of Pittman vis-à-vis independent claims 1 and 38 are described above. Independent claim 49 is similar to claims 1 and 38 in its recitation of an article, e.g., door skin, having spaced grooves for simulating ticks and tonal portions for

receiving stain and simulating background tones of natural wood. Pittman does not disclose a door skin that simulates both ticks and background tones.

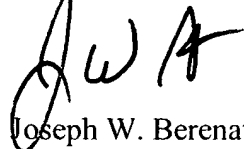
Minke has been cited for its disclosure of a door skin secured to a peripheral frame. Like Pittman, Minke fails to disclose or reasonably suggest molded door skins simulating the appearance of both ticks and background tones.

For these reasons, reconsideration and withdrawal of the Section 103(a) rejection of claim 49 and claim 50, which depends from claim 49, are respectfully requested.

Finally, Applicant has added new claims 51-70. Applicant respectfully submits that these new claims, which are in dependent format, incorporate features of their respective independent claims and are patentable over the applied art for the above-discussed reasons and for the additional reason that the added subject matter of the claims is neither described in nor reasonable suggested by the applied art. For example, neither Minke nor Pittman disclose substantially square spaced depressions as recited in claims 51, 54, 56, 59, 61, 64, 66, and 69 or substantially cylindrical spaced depressions as recited in claims 52, 55, 57, 60, 62, 65, 67, and 70. Minke and Pittman also fail to disclose or reasonably suggest a grid pattern of spaced depressions as recited in claims 53, 58, 63 and 68.

Applicant respectfully requests favorable action on the merits. Should any outstanding issues remain, the Examiner is respectfully requested to contact the undersigned, by telephone, to conduct an interview in the interest of advancing prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JWA', is written over the typed name.

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